

Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Part I. Proposed Action Description

1. *Applicant/Contact name and address:* O'Neill Cattle Co. LLC & Connie Bosman
612 Bad Route Road
Terry, MT 59349
2. *Type of action:* Application for Change No. 42M-30019660
3. *Water source name:* Well
4. *Location affected by project:* parts of Sections 15, 16, 21, 28, 29, & 32, T14N, R51E, Prairie County.
5. *Narrative summary of the proposed project, purpose, action to be taken, and benefits:*
This is to add additional places of use to an existing pipeline for stockwater. DNRC will issue an Authorization to Change if all criteria for issuance under MCA 85-2-402 are met.
6. *Agencies consulted during preparation of the Environmental Assessment:*
(include agencies with overlapping jurisdiction)
Montana Natural Heritage Program
Montana Historic Preservation Office
Montana Department of Fish Wildlife & Parks (MFWP)
Montana Department of Environmental Quality (MDEQ)
Prairie County Planning Office

Part II. Environmental Review**1. Environmental Impact Checklist:**

PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity - Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.

Determination: This is to be water use from a well. There should be no significant impact from this proposed use.

Water quality - *Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.*

Determination: This is to be water use from a well. This proposed use of water should have no significant impact on water quality issues in the area.

Groundwater - *Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.*

Determination: This proposed use of water should have no significant impact on groundwater quality or quantity in the area. This is an extension of an existing pipeline, there will be no increase in flow rate or volume.

DIVERSION WORKS - *Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.*

Determination: This is an extension of an existing pipeline, there should be no significant impacts from this pipeline construction.

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species - *Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern," or create a barrier to the migration or movement of fish or wildlife. For groundwater, assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or "species of special concern."*

Determination: The Montana Natural Heritage Program has identified one endangered species or species of special concern within this proposed project area. This species is the greater sage-grouse. There should be no significant impact on plant and animal species of concern from this proposed use.

Wetlands - *Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.*

Determination: The area does not appear to be a wetland area, so there should be no significant impacts to wetlands from this proposed use.

Ponds - *For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.*

Determination: There is no pond associated with this change application.

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE - *Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.*

Determination: This proposed use should not degrade soil quality or cause saline seep problems in the area.

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS - *Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.*

Determination: There should be no significant impact on existing vegetative cover or the spread of noxious weeds from this proposed use of water. There will be minor disturbance at the well and tank sites, but it is expected that the landowner will prevent the establishment of noxious weeds.

AIR QUALITY - *Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.*

Determination: There should be no deterioration of air quality or adverse effects on vegetation due to increased air pollutants from this proposed project.

HISTORICAL AND ARCHEOLOGICAL SITES - *Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project.*

Determination: The Montana Historic Preservation Office did not identify any archeological or historic sites of record in the proposed project area. They do recommend that a cultural resource inventory be conducted in order to determine whether or not sites exist and if they will be impacted. This proposed use of water is not expected to have any significant impact on any historical or archeological sites in the area.

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY - *Assess any other impacts on environmental resources of land, water and energy not already addressed.*

Determination: There should be no significant impacts on other environmental resources of land, energy, and water from this proposed use.

HUMAN ENVIRONMENT

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS - *Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.*

Determination: This proposed use is not inconsistent with any locally adopted environmental plans and goals for Prairie County.

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES - *Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.*

Determination: There should be no significant impacts on recreational or wilderness activities from this proposed use.

HUMAN HEALTH - *Assess whether the proposed project impacts on human health.*

Determination: There should be no significant impact on human health from this proposed use.

PRIVATE PROPERTY - *Assess whether there are any government regulatory impacts on private property rights.*

*Yes*___ *No* **X**___ *If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.*

Determination: No significant impact.

OTHER HUMAN ENVIRONMENTAL ISSUES - *For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.*

Impacts on:

- (a) Cultural uniqueness and diversity? No significant impact
- (b) Local and state tax base and tax revenues? No significant impact
- (k) Existing land uses? No significant impact
- (d) Quantity and distribution of employment? No significant impact
- (e) Distribution and density of population and housing? No significant impact
- (f) Demands for government services? No significant impact
- (g) Industrial and commercial activity? No significant impact
- (k) Utilities? No significant impact
- (i) Transportation? No significant impact
- (j) Safety? No significant impact
- (k) Other appropriate social and economic circumstances? No significant impact

11. ***Secondary and cumulative impacts on the physical environment and human population:***

Secondary Impacts: There are no secondary impacts to report. The secondary impacts are not expected to be significant.

Cumulative Impacts: There are no cumulative impacts to report. The cumulative impacts are not expected to be significant.

3. ***Describe any mitigation/stipulation measures:*** If the use of this water causes an adverse impact on another well owner's water supply with a senior water right, this applicant would be required to cease his use of water until the rights of the affected party were satisfied.

7. ***4. Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:*** The "no action" alternative would mean that O'Neill Cattle Co. LLC and Connie Bosman could not add additional stock tanks to their pipeline and therefore would not be able to water as many cattle in as large of an area and may cause more ground disturbance in the areas where water is currently available.

PART III. Conclusion

1. ***Preferred Alternative:*** The preferred alternative would be to allow the use of the additional stock tanks on the pipeline.

2. ***Comments and Responses:*** None to report

3. ***Finding:***

Yes___ No X Based on the significance criteria evaluated in this EA, is an EIS required?

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action: No significant environmental impacts were identified. No EIS is required.

Name of person(s) responsible for preparation of EA:

Name: Christine Smith

Title: Water Rights Technician

Date: August 30, 2006